



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/050,648

01/16/2002

Dave Hamilton

3992P004X

8623

8791

7590

06/18/2007

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER

LIPMAN, JACOB

ART UNIT

PAPER NUMBER

2134

MAIL DATE

DELIVERY MODE

06/18/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/050,648	HAMILTON ET AL.	
	Examiner	Art Unit	
	Jacob Lipman	2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-14 and 17-32 is/are pending in the application.
- 4a) Of the above claim(s) 5-8,18-21 and 27-32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1, 4, 9-14, 17, and 22-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 9-14, 17, and 22-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiGiorgio et al., USPN 6,385,729 in view of Barlow et al., USPN 6,038,551.

With regard to claims 1, 9, 10, 12, 13, 14, 22, 23, 25, and 26, DiGiorgio discloses a system to uniquely identify a security computing device coupled to a computer (column 1 lines 7-9), the computer coupled to a server over a computer network (column 2 lines 3-8), the system including the security computing device being separate from the computer and adapted for connection by a user to the computer with an input/output (I/O) connector (column 2 lines 5-8), the security computing device including a processor and a secure memory (column 6 lines 30-33), the security computing device storing a serial number associated with the security computing device (column 10 lines 54-55) and a user key associated with the serial number that is unique to the security computing device in the secure memory (column 10 lines 35-36), a server coupled to a user information database, the user information database storing a plurality of registered serial numbers and a plurality of user keys, each user key being associated with one of the plurality of registered serial numbers, wherein, when the

computer attempts to log onto the server over the computer network, the server requests a serial number from the security computing device, the security computing device under the control of the processor to transmit the serial number from the secure memory, verifies whether the serial number received from the security computing device is stored as one of the plurality of registered serial numbers in the user information database, if the serial number is stored within the user information database, the server obtains the associated user key and computes a challenge and computes an expected response based on the associated user key (column 10 lines 54-60), the server sends the challenge to the security computing device over the computer network (column 10 lines 30-33), wherein the security computing device under the control of the processor computes a response based upon a user key stored in the secure memory of the security computing device (column 10 lines 33-36), and if the server receives the response back from the security computing device in response to the challenge that matches the expected response, the server allows the computer to log onto the server (column 10 lines 43-44), DiGiorgio does not disclose the computer requesting an asset from the computer. Barlow discloses using an IC card to maintain secret cryptographic keys (column 1 lines 8-16). Barlow discloses receiving an asset and asset key encrypted with the user key of the IC card, column 17 line 59-column 18 line 8). It would have been obvious for one of ordinary skill in the art to send an asset from the ISP of DiGiorgio along with an encrypted asset key for the motivation of Barlow of keeping the IC keys secret (column 17 lines 52-55), and to minimize decryption processing of large assets.

With regard to claims 4 and 17, DiGiorgio does not go into detail of the challenge response process. The examiner takes official notice that hashing is a well-known way to perform challenge response authentication, since it is very hard to reverse engineer. It would have been obvious for one of ordinary skill in the art to use hashing to reveal the knowledge of a shared secret of DiGiorgio for the motivation of protecting the shared secret.

With regard to claims 11 and 24, DiGiorgio in view of Barlow does not disclose renting or purchasing assets. The examiner takes official notice that it is well known in the art to rent and purchase assets through an ISP, and to indicate when a usage right expires. It would have been obvious for one of ordinary skill in the art to include an indication of rental or purchase in the encrypted asset of Barlow so the user would know the terms of usage.

Conclusion

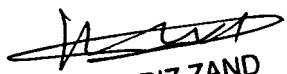
3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 571-272-3837. The examiner can normally be reached on M-Fr.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2134

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JL

A handwritten signature in black ink, appearing to be "Jim Ji".A handwritten signature in black ink, appearing to be "Kambiz Zand".
KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER